Serial No. 10/811,624

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PATENT
Attorney Docket No.: O013 P00903-US2

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant	:	CHIROVSKY et al.
Serial No.	:	10/811,624
Filed	:	March 29, 2004
Title	:	METHOD OF SELF-ALIGNING AN OXIDE APERTURE WITH AN ANNULAR INTRA-CAVITY CONTACT IN A LONG WAVELENGTH VCSEL

Examiner	:	MULPURI, Savitri	Art Unit: 2812

Assistant Commissioner for Patents
Washington DC 20231

DECLARATION UNDER 37 C.F.R. 1.132

Dear Sir:

I, Leo M. F. Chirovsky, unequivocally declare that:

1.   I am an employee of Optical Communications Products, Inc., 6101 Variel Avenue, Woodland Hills, CA 91364, USA, and as such was a member of the inventor team working on the above mentioned invention filed under U.S. Patent Application No. 10/811,624.

2.   I am a co-inventor of the claimed subject matter of the above identified patent application no. 10/811,624.

3.   I am also a co-inventor on U.S. Patent Publication No. 2002/0150135 in the name Naone et al.

4.   As a member of the inventor team responsible for the development of the long wavelength VCSELS contained in both the present application and the Naone patent publication, I jointly conceived of and developed with co-inventor Ryan Likeke Naone the

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concept of using a self-aligning ohmic contact as an etch mask to define a mesa in a VCSEL, that is covered in the claimed subject matter of the present application and described in Naone et al. patent publication.

5.   All statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine and/or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that any such willful false statements may jeopardize the validity of this application or any patent resulting therefrom.

Leo M. F. Chirovsky   Dated | _January 10, 2005_

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